

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (CURRENTLY AMENDED) A spinal surgical instrument comprising: an outer cannula having a proximal end, distal end and an outer lumen passing there between, the distal end of the outer ~~lumen~~ cannula having an engagement structure configured to releasably mount to a securing arrangement for a spinal implant; an inner cannula having a proximal end, a distal end and an inner lumen passing there between, the inner cannula being axially moveable within the outer lumen of the outer cannula; a fixing member having a proximal end and a distal end, the fixing member positioned within the inner lumen and including an arrangement for advancing and retracting the fixing member within the inner lumen of the inner cannula.

2. (ORIGINAL) The spinal surgical instrument according to claim 1 wherein the inner cannula is axially moveable within the outer lumen of the outer cannula for a predetermined distance between a first position and a second position.

3. (CURRENTLY AMENDED) The spinal surgical instrument according to claim 1 wherein the engagement structure at the distal end of the outer lumen cannula is configured to releasably engage a locking nut.

4. (ORIGINAL) The spinal surgical instrument according to claim 1 wherein the outer cannula includes an exterior surface contour to facilitate gripping of the outer cannula.

5. (CURRENTLY AMENDED) ~~The spinal surgical instrument according to claim 1~~ A spinal surgical instrument comprising: an outer cannula having a proximal end, distal end and an outer lumen passing there between, the distal end of the outer cannula configured to releasably mount to a securing arrangement for a spinal implant; an inner cannula having a proximal end, a distal end and an inner lumen passing there between, the inner cannula being axially moveable within the outer lumen of the outer cannula; a fixing member having a proximal end and a distal end, the fixing member positioned

within the inner lumen and including an arrangement for advancing and retracting the fixing member within the inner lumen of the inner cannula,

wherein the distal end of the inner lumen includes threads for threadedly engaging a portion of the spinal implant.

6. (ORIGINAL) The spinal surgical instrument according to claim 1 wherein the distal end of the inner lumen includes an axially directed shoulder that can abut against a proximal end of the spinal implant.

7. (CURRENTLY AMENDED) ~~The spinal surgical instrument according to claim 2~~ A spinal surgical instrument comprising: an outer cannula having a proximal end, distal end and an outer lumen passing there between, the distal end of the outer cannula configured to releasably mount to a securing arrangement for a spinal implant; an inner cannula having a proximal end, a distal end and an inner lumen passing there between, the inner cannula being axially moveable within the outer lumen of the outer cannula; a fixing member having a proximal end and a distal end, the fixing member positioned within the inner lumen and including an arrangement for advancing and retracting the fixing member within the inner lumen of the inner cannula, wherein:

the inner cannula is axially moveable within the outer lumen of the outer cannula for a predetermined distance between a first position and a second position; and

the inner cannula includes exterior threads on an exterior surface of the inner cannula, the exterior threads having a proximal end and a distal end; and the outer cannula includes interior threads within an interior surface of the outer lumen, the interior threads having a proximal end and a distal end such that axial movement of the outer cannula over the inner cannula is affirmatively stopped at the first position when the proximal end of the exterior threads of the inner cannula abut against the distal end of the interior threads of the outer cannula.

8. (ORIGINAL) The spinal surgical instrument according to claim 7 wherein:

the inner cannula includes an exterior surface ridge on the exterior surface; the outer cannula includes a plurality of axially extending fingers at the proximal end of the cannula; and axial movement of the outer cannula over the inner cannula is affirmatively stopped at the second position when the axially extending fingers abut against the exterior surface ridge of the inner cannula.

9. (CURRENTLY AMENDED) ~~The spinal surgical instrument according to claim 1~~ A spinal surgical instrument comprising: an outer cannula having a proximal end, distal end and an outer lumen passing there between, the distal end of the outer cannula configured to releasably mount to a securing arrangement for a spinal implant; an inner cannula having a proximal end, a distal end and an inner lumen passing there between, the inner cannula being axially moveable within the outer lumen of the outer cannula; a fixing member having a proximal end and a distal end, the fixing member positioned within the inner lumen and including an arrangement for advancing and retracting the fixing member within the inner lumen of the inner cannula, wherein:

the inner ~~lumen~~ cannula includes threads on an interior ~~threads on an interior~~ surface of the inner lumen; the distal end of the fixing member includes exterior threads; and threading the exterior threads of the fixing member with the interior threads of the inner ~~lumen~~ cannula provides for advancing and retracting the fixing member within the inner lumen of the inner cannula.

10. (CURRENTLY AMENDED) ~~The spinal surgical instrument according to claim 4 further comprising a driver having a portion configured to engage with the exterior surface contour of the outer cannula~~ A spinal surgical instrument comprising: an outer cannula having a proximal end, distal end, an outer lumen passing there between, and an exterior surface contour to facilitate gripping of the outer cannula, the distal end of the outer cannula configured to releasably mount to a securing arrangement for a spinal implant; an inner cannula having a proximal end, a distal end and an inner lumen passing there between, the inner cannula being axially moveable within the outer lumen of the outer cannula; a fixing member having a proximal end and a distal end, the fixing member positioned within the inner lumen and including an arrangement for advancing and retracting the fixing member within the inner lumen of the inner cannula, fixing member within the inner lumen of the inner cannula; and a driver having a portion configured to engage with the exterior surface contour of the outer cannula.